

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

TONITA HALL a/k/a LOUISE	:	
REDDITT,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Case No. 5:11-cv-332 (WLS)
	:	
Warden BELINDA DAVIS <i>et al</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

Plaintiff Tonita Hall, a former inmate at the Pulaski State Prison, filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. The Court dismissed her last remaining claims on September 20, 2013, for failure to exhaust administrative remedies. (Doc. 67.)

Hall has now filed a Motion to Proceed *in forma pauperis* on Appeal from the final judgment. (Doc. 75.) In the motion, Hall contends she intends to challenge the Court's ruling on the grounds that defense counsel withheld evidence and filed fraudulent affidavits; the Court did not allow the Department of Corrections and the Department of Administrative Services to remain in the case "to verify plaintiff did in fact complete the administrative process"; the Court was biased; and someone tampered with the docket to reflect that Hall received Orders she did not in fact receive.

Although Hall's finances may qualify her to proceed *in forma pauperis*, the Court nonetheless denies her motion because her appeal is not taken in good faith. "A party demonstrates good faith by seeking appellate review of any issue that is not frivolous when examined under an objective standard." *Ghee v. Retailers Nat'l Bank*, 271 F. App'x 858, 859 (11th Cir. 2008) (citing *Coppedge v. United States*, 369 U.S. 438, 445 (1962)). An

appeal is frivolous when its factual allegations are “clearly baseless” or its legal theories are “indisputably meritless.” *See Carroll v. Gross*, 954 F.2d 392, 393 (11th Cir. 1993). Hall’s allegations about the impropriety of the Court’s proceedings are baseless. Nothing in the record supports her allegations. The uncontested evidence established that Hall did not exhaust her administrative remedies. Hall failed to provide any argument or evidence to undermine that conclusion.

Hall’s motion is therefore **DENIED**. Any further requests to proceed *in forma pauperis* on appeal should be directed, on motion, to the United States Court of Appeals for the Eleventh Circuit, in accordance with Rule 24 of the Federal Rules of Appellate Procedure.

SO ORDERED, this 17th day of December, 2013.

/s/ W. Louis Sands
W. LOUIS SANDS, JUDGE
UNITED STATES DISTRICT COURT